No. G. 147—*G. M.* 76-12-6, *dated 5th July* 1913.

The following Notification of the Government of India Department of Education (Ecclesiastical) No. 212, dated the 10th May 1913, containing revised and consolidated rules for the care and use of Government Cemeteries is published for general information and for the guidance of the officers concerned.

No. 212.

GOVERNMENT OF INDIA.

DEPARTMENT OF EDUCATION.

ECCLESIASTICAL.

Simla, the 10th May 1913.

NOTIFICATION.

The rules providing (I) for the care and use of Government cemeteries throughout India, except those in the presidency town of the diocese of Calcutta and the presidency town of the diocese of Bombay; (II) for the levy and expenditure of fees on graves and monuments in cemeteries and churches throughout India; (III) for the levy of other ecclesiastical fees throughout India; (IV) for the erection, repair and endowment of monuments in Government cemeteries throughout India, except in the town and suburbs of Calcutta; and (V) for the regulation of grants for the building of churches; the supply of church furniture; and for the payment of compensation for accommodation provided for soldiers in churches neither belonging to, nor rented by Government, have been revised and consolidated and are published for general information and guidance:—

Part I.

Rules for the care and use of Government cemeteries throughout India, except those in the presidency town of the diocese of Calcutta and the presidency town of the diocese of Bombay.

CHARGE OF THE CEMETERY.

RULE 1.—(1) The resident chaplain of a station has charge of the general cemetery, and frames an estimate of the expenditure connected therewith in accordance with the directions contained in paragraph 1 of the Home Department* Resolution Nos. 6—370-382, dated 9th November 1876.

* Appendix A.

(2) The term "resident chaplain" includes a clergyman of the Additional Clergy Society so far as concerns the stations to which he stands appointed, or other clergyman of the Church of England placed in charge by the Bishop.

(3) Where there are lay trustees or a church committee they will have the same powers and responsibilities in regard to the cemetery as in regard to the church. At stations where there are no trustees or committee, if there is no resident chaplain or during the temporary absence of the chaplain, the charge of the cemetery vests in the chief magistrate on the spot, or the senior military officer if the cemetery is attached to a military cantonment.

(4) At out-stations where there is a church committee the charge of the cemetery will vest in the senior member of the committee, provided that, if the station does not contain a church which is the property of the Government, the appointment of the senior member of the committee to hold charge of the cemetery will be subject to the approval of the Bishop or Archdeacon who may, if he consider it advisable, appoint some other person to the charge. At out-stations where there is no church committee the charge of the cemetery will vest in such person as may

be nominated thereto from time to time by the Magistrate or Deputy Commissioner of the district, but subject to the control of such Magistrate or Deputy Commissioner.

(5) All projects for original works in connection with cemeteries attached to Government churches in civil stations and cemeteries in Imperial Provinces without provincial settlements whether attached to Government churches or not, which require the administrative sanction of the Government of India, should under the Home Department orders Nos. 49—65, dated the 8th February 1907, be submitted by the ecclesiastical authorities to the local Government, which after examining them will transmit them, with any remarks that it may desire to offer, to the Government of India in the Department of Education for consideration. All proposals relating to the construction or alteration of cemeteries attached to Government churches in cantonments and of other cemeteries in charge of the Military Works Services whether attached to Government churches or not should under the Home Department orders Nos. 58—71, dated the 18th February 1909, be submitted by the ecclesiastical authorities to the General Officer Commanding the Division or Independent Brigade within whose jursidiction the cantonment is situated, who will forward them to the Director-General of Military Works when the cost of the work is less than Rs. 2,500 and to the Quartermaster-General in India when the cost exceeds Rs. 2,500. The Director-General will submit proposals forwarded to him direct to the Department of Education after consulting the Quartermaster-General unofficially. In the cases of the larger cost the Quartermaster-General after satisfying himself of the necessity for the work proposed will, when the work is to be carried out by the Military Works Services, request the Director-General of Military Works to submit the proposals, together with approximate estimates of their cost and the reports of the local military officers, for the consideration of the Department of Education. When the work is to be carried out by the Public Works Department the Quartermaster-General will request the General Officer Commanding concerned to forward the proposals to the local Government which, after examination, will transmit them, with any remarks it may desire to offer, to the Government of India in the Department of Education for consideration. Proposals in connection with cemeteries attached to Government churches in railway colonies should be submitted by the managers or agents of the railways concerned to the Railway Board for consideration. Projects for original works in connection with cemeteries not attached to Government churches the charges for which will be debitable to Provincial revenues should be dealt with under the orders of the local Government concerned.

RULE 2.—Each cemetery is allowed a mali-chaukidar or chaukidars in accordance with the scale prescribed in paragraph 2 of the Home Department Resolution* Nos. 6—370-382, dated 9th November 1876. These chaukidars are paid by Government through the resident chaplain, by whom they are appointed and dismissed. In stations where there is no resident chaplain, the chaukidars are paid, appointed, and dismissed by the other officers named in rule 1. House accommodation for cemetery chaukidars may be provided at the cost of the State.

* Appendix A.

RULE 3.—Every reasonable effort should be made by the resident chaplain or other officer in charge under rule 1, not only to keep the cemetery in decent order, but to preserve its character as the resting-place of the remains of departed friends by providing for the necessary repairs and by planting the ground with suitable trees.

NOTE.—Expenditure under this rule will be met in the manner indicated in paragraph 1 of the Home Department Resolution† Nos. 6—370-382, dated 9th November 1876.

† Appendix A.

RULE 4.—The chaukidar will keep the key of the cemetery under the direction of the officer in charge.

RULE 5.—The officer who has charge of the cemetery under the operation of rule 1 will perform all the duties assigned to the chaplain by rules 7, 8, 9, 10, 11, and 12, with the exception of the approval of designs of tombstones and of inscriptions to be cut on them. In the case of a tombstone in that part of the cemetery which is reserved for the Church of England, the proposed design and inscription must be forwarded to the resident or visiting chaplain, or, if there be none, to the Archdeacon, no action being taken to erect the monument till his sanction has

been obtained. In all other cases the design and inscription must be approved by the minister of the particular denomination to which the deceased belonged. Should there be no resident or visiting minister of that denomination, the inscription and design must be approved by the senior minister belonging to it in the province, or, if there be none, then by the local Government or Administration. Should a design or inscription be disapproved, it may be referred, if those who are interested desire this, through the ecclesiastical superior of the denomination concerned, to the local Government or Administration for decision. (*Vide* rules 14 to 20 and Part IV of these rules.)

PERSONS WHO MAY CONDUCT INTERMENTS.

RULE. 6.—(1) The chaplain will bury Christians of all denominations whose friends desire his services, as laid down in the orders of the Government of India in the Home Department,* No. 159, dated the 6th June 1877, using always the service of the Church of England and the consecrated portion of the cemetery.

*Appendix B.

(2) A portion of every cemetery will be set apart by the orders of Government for the use of Roman Catholic congregations, and another portion will be appropriated for the joint use of other Christians whose friends desire that they should be interred otherwise than according to the ritual of either the Church of England or of the Church of Rome, or who cannot legally be so interred.

(3) The unconsecrated portions thus set apart are not to be fenced or walled off from the rest of the cemetery, but simply divided off by a pathway, and they must be added to the existing cemetery or reserved from it. If the existing cemetery be large enough for the wants of the whole Christian community, such portions will be reserved without reference to the fact that the whole enclosure has or has not been consecrated according to the rites of the Church of England. If the cemetery be only large enough for the wants of Christians desiring to be buried with the service of the Church of England such portions will be added. The whole cemetery thus divided is to be surrounded by a wall, to have but one gate of entrance, and to be under the care of the officer specified in rule 1.

RULE 7.—(1) Ministers of all denominations have a right to conduct the service of burial over the body of any deceased member of their respective congregations, who may be buried in any fitting portion of the ground set apart for the denomination to which the deceased belonged. At least six hours' previous notice of the burial should be given by the chaplain or minister of the denomination to which the deceased belonged or, in his absence from the station, by the friends of the deceased, to the chaplain in charge of the burial ground, or, in the absence of the chaplain, to the officer who may be in current charge. The chaplain or officer in current charge of the cemetery should, on receipt of the notice, give the conducting chaplain or minister, or, in his absence, the friends of the deceased, a certificate as to the hour when the funeral may take place. The period herein prescribed may, for special reasons, be shortened, with the permission of the chaplain or officer in charge of the cemetery. Such chaplain or officer will, if he thinks the circumstances of the case demand it, bring the facts to the notice of the local magisterial authorities in time to admit of an order stopping the burial being passed if necessary.

NOTE.—The provisions laid down in this rule apply only to civil funerals. Military funerals are regulated by the orders laid down in Army form A-27.

(2) In the cases in which the deceased was in the military or civil employment of Government and the death occurred in a military station it is the duty of the officer commanding the corps or head of the department concerned to inform the minister of the denomination to which the deceased belonged, of the hour at which the funeral may be expected at the cemetery. This report is to be in addition to that required by rule 7 (1).

(3) A certificate of burial drawn up according to the required form must be sent to the chaplain or to the Registrar of births, deaths and marriages, to be entered in the register kept up by him. The officer commanding the station or regiment or the local head of the department with which the deceased was connected is responsible for the submission of the certificate.

RULE 8.—(1) No burial can, as a general rule, take place in that part of a Government cemetery, which has been set apart for the use of members of the Church of England, unless the service prescribed by that Church is read by the chaplain, if there be one, or, in his absence, by the layman who officiates at the funeral. But a person may be interred in the other portions of a Government cemetery with or without the use of any services of religion.

(2) Where in that part of a Government cemetery which has been set apart for the use of members of the Church of England there is a family vault or grave, or a reserved plot of ground purchased by a member of the family, or a masonry grave prepared in immediate contiguity to such family vault or grave or reserved plot, any deceased member of a family may, if the relative, friend, or legal representative having charge of the funeral arrangements shall so desire, be interred in such family vault, grave, or reserved plot without the performance of the service for the burial of the dead according to the rites of the Church of England.

(3) The burial may take place at the option of the person having charge of the same either without any religious service or with such Christian and orderly religious service at the grave as such person shall think fit; and any person or persons who shall be thereunto invited, or be authorised by the person having charge of such burial, may conduct such service or take part in any religious act thereat.

(4) Notice of any burial which it is intended to conduct under the provisions of clauses (2) and (3) shall be given to the chaplain or other officer in charge of the burial-ground in the manner prescribed by rule 7.

ARRANGEMENTS FOR BURYING.

RULE 9.—Where there is a resident chaplain he is responsible for the arrangements for digging a grave and for the preparation of a coffin. Should he find or anticipate difficulty in making private arrangements for digging a grave and preparing a coffin he should apply in military stations to the senior military officer and in civil stations to the chief local magistrate to make the necessary arrangements; and these officers are authorized to direct any local Public Works officer to do all that is necessary. The local Public Works officer will usually be the Assistant Commanding Royal Engineer in military stations and the Civil Executive Engineer in civil stations; but the senior military officer in a military station and the chief local magistrate in a civil station may, in cases of emergency, direct the Civil Executive Engineer or the Assistant Commanding Royal Engineer, respectively, to make the necessary arrangements. The resident chaplain is in all such cases responsible that timely notice is given to the Government officers who may be called upon to arrange for digging a grave and preparing a coffin.

The senior military officer in a military station and the chief local magistrate in a civil station may, should the resident chaplain report that private arrangements for digging graves and preparing coffins are not feasible, issue a general order on the Assistant Commanding Royal Engineer and the Civil Executive Engineer, respectively, to dig graves and prepare coffins upon the requisition of the resident chaplain. The expenditure incurred by the Executive Engineer will be held in his miscellaneous advance account till repaid by the officer under whose special or general order it was incurred.

During the absence of the resident chaplain from the station the senior military officer in a military station and the chief local magistrate in a civil station shall be responsible for the arrangements for digging graves and preparing coffins.

NOTE.—The expenses incurred in connection with the burial of paupers who die within cantonment limits will be defrayed from cantonment funds under the authority of section 29 (1) (*l*) of the Cantonment Code. In the case of paupers who die out of cantonment limits, the expenses will be defrayed by the magistrate of the district.

RULE 10.—The officer in charge of the cemetery shall keep a plan of the entire cemetery to be provided by the Public Works Department or Military Works Services, with references written upon it, in a book, in which the names of parties interred are recorded, this plan and book being kept with the church registers.

NOTE.—The Executive Engineer shall maintain a plan of the cemetery showing on it all the existing graves and the spaces allotted for future graves, giving them all consecutive numbers and giving plot lines also consecutive numbers when he thinks this desirable. Suitable number plates may be provided for the graves.

RULE 11.—The officer in charge of the cemetery may reserve grave space, as limited by rule 12 below, on the application of near relatives of persons already buried in the cemetery and for the burial of the persons named in the application. A double ground fee shall be levied in advance before granting any such applica-

tion and each grant shall be registered in a book to be kept for the purpose and indicated on the plan. The ground will then be reserved for ten years. Before the expiry of that period, a fresh application should be made and a further double fee paid, failing which the ground will be resumed.

RULE 12.—The size of each grave, whether of masonry or not, is ordinarily limited to $9' \times 4'$, and the area of ground to be enclosed to $11' \times 7'$ by external measurement. The local Government may, however, relax these limits at its discretion.

RULE 13.—(1) All graves must be at least 6 feet in depth. Masonry graves need not be provided with floors.

(2) No body shall be buried in any vault or masonry grave provided with a permanent floor which it is intended at any after time within 14 years to re-open, unless the coffin be separately entombed in an air-tight manner by properly cemented stone or brick work, which shall never be disturbed.

(3) One body only shall be buried in a grave at one time, unless the bodies be those of members of the same family.

(4) No non-masonry grave or masonry grave unprovided with the separate air-tight compartment prescribed in clause (2) shall be re-opened within 14 years after the burial of a person above 12 years of age, or within eight years after the burial of a child under 12 years of age, unless to bury another member of the same family, in which case a layer of earth not less than one foot thick shall be left undisturbed over the previously buried coffin. If on re-opening the grave any soil is found to be offensive, such soil shall be left undisturbed.

(5) There shall never be less than three feet of earth between the topmost coffin in a grave and the surface of the ground.

ERECTION AND REPAIR OF MONUMENTS.

RULE 14.—Monuments may be erected by any interested person. The inscription before being cut and the design, when the monument is other than a simple headstone, must first be approved of as laid down in rule 5.

RULE 15.—When a grave is not of masonry the only monument ordinarily allowed over it is a simple cross or headstone on an adequate masonry foundation at least $3' \times 2' \times 1\frac{1}{2}'$; and the whole structure must not stand higher than 3 from the ground level. But, with the permission of the officer in charge of the cemetery, a monument, such as may be erected over a masonry grave, may be placed over a non-masonry grave when adequate masonry foundations are provided on which the monument may rest.

RULE 16.—No monument, of whatever material constructed, shall exceed $8' \times 4'$ at the base without the previous sanction of the local Government.

RULE 17.—No monument of *masonry* standing higher than 3 feet from the ground level shall be erected without the sanction of the local Government.

RULE 18.—No cenotaph more than 6 feet square at the base shall be erected without the sanction of the local Government.

RULE 19.—The enclosure of ground round a grave must be by a metal railing, or by chains or bars of metal supported on masonry or metal pillars or by a plain granite or marble curb on a concrete foundation. Wooden or masonry enclosures are not permitted. The previous sanction of the Archdeacon, or in his absence, of the Bishop, is necessary to the enclosure of a non-masonry grave; and no such sanction will be given unless the fee required by rule 1 of Part II has been paid.

RULE 20.—All work connected with monuments must, as far as possible, be carried on outside the cemetery.

INSPECTION.

RULE 21.—The cemetery should be inspected annually by the officer who has charge of it under the operation of rule 1, in company with the executive engineer, the plan and book kept under rule 10 being also examined, and

a report made to the Archdeacon, and recorded in the ecclesiastical record-book of the station, and also in the engineer's office. In stations where there is no resident chaplain and there is a difficulty in arranging for a joint inspection by the officer in charge of the cemetery and the executive engineer, the annual inspection may be made by the executive engineer alone, who will forward the report to the Archdeacon through the officer who has charge of the cemetery.

RULE 22.—(1) Commissioners of divisions should inspect cemeteries, whether closed or in use, within their respective jurisdictions, in the course of their annual tours, and should bring to the notice of the local Government any instances of cemeteries which are negligently kept, or which the officers in charge may have allowed to fall into a state of bad repair or disorder. All cemeteries are equally subject to the visitation and supervision of the Bishop and Archdeacon.

(2) Sanitary officers in cantonments are invited to inspect cemeteries within their respective cantonments and to report to local Governments any matter calling for notice.

MISCELLANEOUS.

RULE 23.—It is desirable that officers commanding regiments or detachments should be instructed to cause a report to be made to the nearest civil officer of graves dug for soldiers on the march, in order that measures may be taken for their effectual protection and preservation. These graves and all scattered Christian graves throughout the district are under the care of the local civil authorities, who should inspect them frequently and see that they are preserved in good order. Interments should, as far as practicable, be carried out in Government land.

PART II.

Rules for the levy and expenditure of fees on graves and monuments in cemeteries and churches throughout India.

RULE 1.—The following are the rates of fees chargeable :—

	Rs.	a.	p.
(1) For every square foot of ground occupied by a grave, whether masonry or not ...	0	8	0
NOTES.—(1) This fee is independent of the actual charge for making a grave.			
(2) By the terms *ground occupied* in this rule is meant in the case of an unenclosed grave the area actually occupied by the grave; and in the case of enclosed graves, graves with monuments or graves partly covered by monuments and partly enclosed, the area actually occupied by the grave *plus* all additional space either enclosed or occupied by a monument.			
The fee of eight annas in question is irrespective of all charges leviable under clauses (2) to (5) of this rule.			
(2) For a masonry monument, per square foot	1	0	0
(3) For a cut stone or marble monument, per square foot	0	8	0
NOTE.—The lower fee of 8 annas per square foot shall be charged only if the whole structure above the ground level is made of cut stone or marble.			
Provided that no fee under (2) or (3) shall be less than	5	0	0
(4) Additional fee when a cut stone or marble monument stands higher than 3 feet from the ground level	16	0	0
(5) For a headstone or cross over a non-masonry grave	5	0	0
(6) For a faculty for the erection of a monument in a church	75	0	0
NOTES.—(1) A tablet on the wall of a cemetery shall be regarded as a monument.			
(2) The term "stone or marble" does not include "slate".			
(3) The fee of Rs. 75 levied on a faculty is in all cases to be spent in charity.			
(7) For a cenotaph, in addition to the ground fee, a special fee of	50	0	0
NOTE.—If any of the persons commemorated are interred beneath a monument, it should not be classed as a cenotaph.			
(8) For burial in a family vault	3	0	0

RULE 2.—Fees are leviable over the whole cemetery, including those portions which are used by Roman Catholics and Non-conformists.

NOTES.—(1) The same rules in regard to fees apply to all graves, whether of Roman Catholics, of Non-conformists, or members of the established Church.

(2) Where a parcel of ground used for burial by a Christian community of any particular denomination other than the established Church of England forms no part of the general cemetery, but is separate from it, or where, although, not so separate, it is clearly distinguishable and was not originally acquired, and has not been kept up at the expense of the State then if the community by which the ground is used so desire, the Government will give up all claim to fees on the distinct understanding that it is divested of all responsibility for the maintenance of the cemetery in proper order. On the other hand, where such parcels of ground form part of a cemetery of the established Church or the general Christian community provided and maintained by the Government, no distinction can be made as to keeping up any one part of the cemetery, nor should any exemption from fees be permitted.